

House File 2379

H-8097

Amend House File 2379 as follows:

1. Page 1, line 4, after <judgment> by inserting
<or any other criminal record that>

2. Page 2, line 1, after <4.> by inserting <a.>

3. Page 2, line 11, after <offense.> by inserting:
<b.>

4. Page 2, after line 31 by inserting:

<c. A dismissed count or related charge shall be
expunged pursuant to the provisions of paragraph "b" in
the following manner:

(1) A count which was contained in the indictment,
information, or complaint that resulted in the deferred
judgment shall be expunged when the deferred judgment
is expunged.

(2) A related charge that was not contained in the
indictment, information, or complaint that resulted in
the deferred judgment shall only be expunged upon a
court order that identifies the related charge to be
expunged.

d. A count or related charge that was dismissed
shall not be expunged pursuant to paragraph "c" in
any case in which a count or charge resulted in a
conviction that was not expunged.

e. The provisions of paragraph "c" apply whether
the deferred judgment was expunged prior to the
effective date of this Act, or on or after the
effective date of this Act.

f. The provisions of paragraph "b" that require
payment of financial obligations as a condition
for expungement of a deferred judgment apply to any
deferred judgment that has not been expunged prior to
the effective date of this Act.

g. For purposes of this subsection, a charge
or count is related to another charge or count if
the charge or count arose from the same transaction
or occurrence or from two or more transactions or
occurrences constituting parts of a common scheme or
plan.

Sec. ____ . APPLICABILITY AND COMPLIANCE. The
judicial branch shall have until July 1, 2013, to
comply with the provisions of this Act on expungement
of the court's record of a dismissed count or related
charge.>

5. Title page, line 1, after <records> by inserting
<, and including applicability provisions>

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